

BILL NO. G-71-10-12

GENERAL ORDINANCE NO. G-125-71

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of public alleys between Bowser and Holton Avenues and between Main and Columbia Streets.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petitions for the vacation of public alleys by City of Fort Wayne, DEPARTMENT OF REDEVELOPMENT, having been filed with the Fort Wayne City Plan Commission, and resolutions having been duly adopted by the Fort Wayne City Plan Commission on September 27, 1971 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), The Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alleys in Fort Wayne, Allen County, Indiana, to-wit:

The North-South Alley between Bowser Avenue and Holton Avenue; That portion from the first alley South of Greene Street to the North Line of the first alley North of Creighton Avenue.

and

The East-West alley between Main and Columbia Streets, same being 14 feet wide and commencing from the East right-of-way of Lafayette Street to a point approximately 215 feet East. Said alley is bounded on the North by Lots 22, 23 and 24 and on the South by Lots 35, 36 and 37, all in the County Addition of the City of Fort Wayne.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

APPROVED AS TO FORM
AND LEGALITY

CITY ATTORNEY

Herbert G. Zipton
Councilman

Read the first time in full and on motion by Tipton seconded by Rousseau and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan, ~~Commission for recommendation~~) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____ 19 ____, at _____ o'clock P.M., E.S.T.)

Date: 10-12-71

Frank H. Bonachoon
City Clerk

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage.
Passed (~~lost~~) by the following vote:

AYES	<u>8</u>	NAYS	<u>0</u>	ABSTAINED	____	ABSENT	<u>1</u>	to-wit:
Adams	_____	_____	_____	_____	_____	_____	✓	
Dunifon	✓	_____	_____	_____	_____	_____	_____	
Fay	✓	_____	_____	_____	_____	_____	_____	
Geake	✓	_____	_____	_____	_____	_____	_____	
Nuckols	✓	_____	_____	_____	_____	_____	_____	
Schmidt	✓	_____	_____	_____	_____	_____	_____	
Rousseau	✓	_____	_____	_____	_____	_____	_____	
Steigerwald	✓	_____	_____	_____	_____	_____	_____	
Tipton	✓	_____	_____	_____	_____	_____	_____	

Date: 10-26-71

Frank H. Bonachoon
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(Zoning Map)~~(General)(Annexation)(Special)(Appropriation) Ordinance (Resolution) No. 8-125-71 on the 26th day of October, 19 71.

ATTEST: (SEAL)

Frank H. Bonachoon
City Clerk

Phil H. Starnes
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of October, 19 71 at the hour of 8:30 o'clock H.M., E.S.T.

Frank H. Bonachoon
City Clerk

Approved and signed by me this 27th day of October, 19 71, at the hour of 2:36 o'clock P.M., E.S.T.

Harold H. Zeis
Mayor

Bill No. G-71-10-12

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance No. G-97 by authorizing the vacation of public alleys
between Bowser and Holton Avenues and between Main and Columbia Streets,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

HERBERT G. TIPTON, Chairman

JACK K. DUNIFON, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. GEAKE

DONALD J. SCHMIDT

Herbert G. Tipton
Jack K. Dunifon
Thomas G. Adams
William K. Geake
Donald J. Schmidt

CONCURRED IN

DATE 10-26-71 FUAD G. BONAHOOM, CITY CLERK

RESOLUTION

WHEREAS, the City of Fort Wayne, Department of Redevelopment has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley in Allen County, Indiana, to-wit:

1. The East-West alley between Main and Columbia Streets, same being 14 feet wide and commencing from the East right-of-way of Lafayette Street to a point approximately 215 feet East. Said alley is bounded on the North by Lots 22, 23 and 24 and on the South by lots 35, 36 and 37, all in the County Addition of the City of Fort Wayne.

All in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 284, of the Acts of 1963 of the General Assembly of the State of Indiana, IND. ANN. STAT. S 53-744 (Burns 1964 Repl. Ed.); and

WHEREAS, Notice of such Public Hearing has been given by due and proper publication thereof, and;

WHEREAS, said public hearing was held on the 27th day of September, 1971, at 7:30 P.M., and at such hearing there were no objections of any kind or character which would prevent the vacation of said public alley.

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described, conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana, and

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described be and the same is hereby approved; and

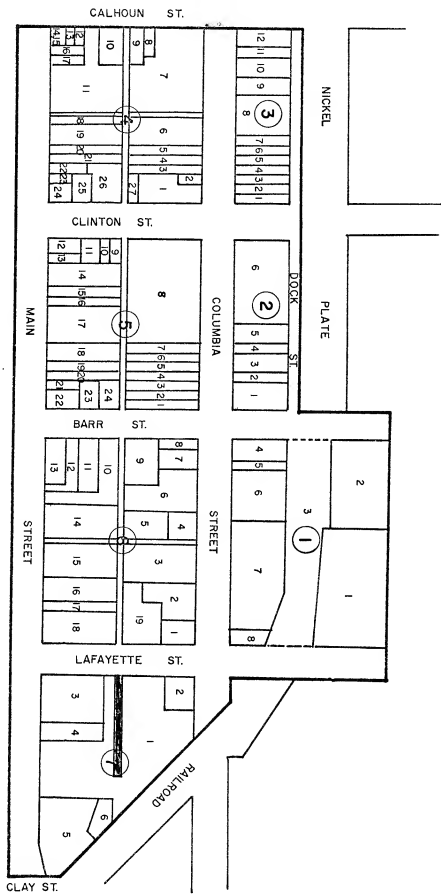
BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys in Allen County, Indiana.

Dated this 27th day of September, 1971.



President
Fort Wayne City Plan Commission

MAIN STREET RENEWAL AREA



RESOLUTION

WHEREAS, the City of Fort Wayne, Department of Redevelopment has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley in Allen County, Indiana, to-wit:

1. The North-South Alley between Bowser Street and Holton Avenue; That portion from the first alley South of Greene Street to the North line of the first alley North of Creighton Avenue.

All in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 285, of the Acts of 1963 of the General Assembly of the State of Indiana, IND. ANN. STAT. S 53-744 (Burns 1964 Repl. Ed.); and

WHEREAS, Notice of such Public Hearing has been given by due and proper publication thereof, and;

WHEREAS, said public hearing was held on the 27th day of September 1971, at 7:30 P.M., and at such hearing there were no objections of any kind or character which would prevent the vacation of said public alley.

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described, conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana, and

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described be and the same is hereby approved; and

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys in Allen County, Indiana.

Dated this 27th day of September, 1971.



President

Fort Wayne City Plan Commission

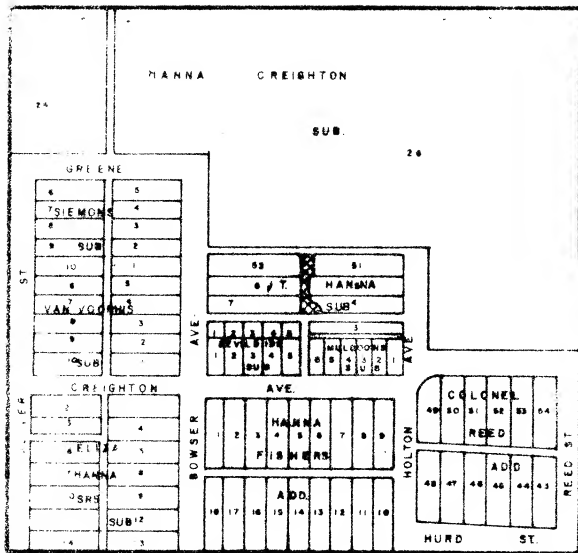
STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Arthur C. Richard, President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a Resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on the 27th day of September, 1971, and as the same appears on record in the official records of the Plan Commission.

Dated the 27th day of September, 1971.



President
Fort Wayne City Plan Commission



ALLEY TO BE VACATED

Common Council City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

—

—

101

1

102

COMPUTATION OF CHARGES

102 lines, columns wide equals equivalent lines at 268¢
cents per line

\$ 29.38

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 29.38

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

CLERK

Date November 23, 1971

Title

Notice is hereby given that on the 26th day of October 1971, the Common Council of the City of Fort Wayne, Indiana, in a regular session, did pass the following General Ordinance, to-wit:

Bill No. G-71-12-17
AN ORDINANCE amending General Ordinance No. G-57 by authorizing the vacation of public alleys between Bower and Horton Avenue and between Main and Columbus Streets.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the vacation of public alleys by City of Fort Wayne, Department of DEVELOPMENT, having been filed with the Fort Wayne City Plan Commission, and resolutions having been duly adopted by the Fort Wayne City Plan Commission on September 17, 1971 following a public hearing thereon, all in accordance with Section 4, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 22, of the Acts of the General Assembly of the State of Indiana (Burns) and Section 1, Chapter 15, of the Acts of the General Assembly of the State of Indiana (Burns), the Thoroughfare Plan as set forth in General Ordinance No. G-57 adopted by the Common Council of the City of Fort Wayne on November 24, 1967, is amended by vacating the following public alleys in Fort Wayne, Allen County, Indiana, to-wit:

The North-South alley between Bower Avenue and Horton Avenue; That portion from the first alley South of Horton Street to the North Line of the first alley North of Oregon Avenue.

The East-West alley between Main and Columbus Streets, some being 14 feet wide and connecting from the East right-of-way of Lafayette Street to a point approximately 215 feet East. Said alley is bounded on the North by Lots 22, 23 and 24 and on the South by Lot 25, and on the East by the property addition of the City of Fort Wayne.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, or the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Read the third time in full and on motion by Tipton seconded by Grosse and duly adopted, placed on its passage. Passed by Aye: eight.

Dutton, Fay, Grosse, Hucks, Rousseau, Schmidt, Steigerwald, Tipton.

Nays: none.

Absent one, to-wit: Connelison Adams.

Dated: 10-23-71.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-71-12-17 on the 26th day of October, 1971.

ATTEST: (SEAL)

Ford G. Bonahoom, City Clerk.

Paul A. Steigerwald, Presiding Officer.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of October, 1971 at the hour of 2:58 o'clock A.M.: E.S.T.

Approved: Ford G. Bonahoom, City Clerk.

and signed by me this 27th day of October, 1971 at the hour of 2:58 o'clock P.M.: E.S.T.

Harold S. Zeis, Mayor.

I, Ford G. Bonahoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of General Ordinance No. G-71-12-17 passed by the Common Council on the 26th day of October, 1971, and that said Ordinance was duly signed and approved by the Mayor on the 27th day of October, 1971, and is now remaining on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 27th day of October, 1971.

S.E.L.

Ford G. Bonahoom, City Clerk

11-12-19

PUBLISHER'S AFFIDAVIT

State of Indiana
Allen County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, s, the dates of publication being as follows:

November 12, 1971

November 19, 1971

Subscribed and sworn to before me this 23rd day of November 1971

Notary Public

My commission expires March 8, 1974